

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

MARK ALAN BYRD, #142221,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO.: 2:08-cv-244-MHT
	)	
KENNETH JONES, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

The magistrate judge entered a recommendation (Doc. #41) in this case to which no timely objections have been filed. After a review of the recommendation and after an independent and de novo review of the entire record, the court believes that the recommendation should be adopted. Accordingly, it is ORDERED that:

- (1) The recommendation (Doc. #41) of the magistrate judge is adopted.
- (2) Plaintiff's motion for preliminary injunction (Doc. #34) is denied for the reasons stated by the magistrate judge.

It is further ORDERED that this case is referred back to the magistrate judge for further proceedings.

DONE, this the 8th day of May, 2009.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE